

NEW APPLICATION TRANSMITTAL

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Susanne C. Aregano
Susanne C. Aregano

22390 U.S. PTO
10/726172
120203

Transmitted herewith for filing is the patent application of:

Inventor 1: Roger H. Hamilton
Address: 114 Atkinson Avenue, Syracuse, NY 13207

Inventor 1: Peter J. Jordan
Address: 101 Atkinson Avenue, Syracuse, NY 13207

For: OXYGEN BOTTLE CARRIER APPLIANCE

1. Type of Application

This is a request for filing a CONTINUATION-IN-PART APPLICATION under 37 C.F.R. §1.53(b), of pending prior application:

Serial No.: 10/037,207, Prior Art Unit: 3637
Filed: January 7, 2002, Prior Examiner: Winnie S. Yip
Title: APPARATUS FOR CONTAINING AND CENTERING OXYGEN
BOTTLE ON A WALKER
Inventors: Roger H. Hamilton

2. Papers Enclosed

A. Required for filing date under 37 CFR 1.53(b) (Regular) are:

10 Page(s) of Specification
2 Page(s) of Claims
1 Page(s) of Abstract
3 Sheets of Drawings (Figs. 1-7)

3. Additional Papers to Follow Under Separate Cover

☒ A combined Declaration and Power of Attorney
☒ Information Disclosure Statement
☒ Form PTO-1449

4. ☒ Amend the specification by inserting after the title and before the first line the sentence:

--Cross Reference to Related Application

This application is a continuation in part application of U.S. Patent Application No. 10/037,207, filed January 7, 2002, the entire contents of which are herein incorporated by reference.--

5. Relate Back

A. 35 U.S.C. 119(e)

☐ Priority of provisional application Serial No. , filed , is hereby claimed under 35 U.S.C. §119(e).

B. 35 U.S.C. 120, 121 and 365(c)

☒ Priority of said prior application 10/037,207, filed January 7, 2002, is hereby claimed under 35 U.S.C. §120.

C. 35 U.S.C. 119 Priority Claim for Prior Application

☐ Priority of foreign application(s) is hereby claimed under 35 U.S.C. §119 as follows:

Application filed

☐ A certified copy of the above corresponding foreign application was filed in prior application Serial No. on .

☐ A certified copy of the above corresponding foreign application is filed herewith.

6. Small Entity Status

☒ Applicant claims small entity status. (See 37 CFR 1.27)

7. The filing fee has been calculated as shown below:

A.	Filing Fee	
	<input checked="" type="checkbox"/> Original Patent Application	\$ <u>385.00</u>
	<small>(37 C.F.R. 1.16(a) --\$770.00; Small Entity--\$385.00)</small>	
B.	Fees for Claims (13 Claims; 2 Indep.)	
	<input type="checkbox"/> each independent claim in excess of 3	\$ <u>.00</u>
	<small>(37 C.F.R. 1.16(b) --\$84.00; small entity--\$42.00)</small>	
	<input type="checkbox"/> each claim in excess of 20	\$ <u>.00</u>
	<small>(37 C.F.R. 1.16(c) --\$18.00; small entity--\$9.00)</small>	
	<input type="checkbox"/> multiple dependent claim(s)	\$ <u>.00</u>
	<small>(37 C.F.R. 1.16(d) --\$280.00; small entity--\$140.00)</small>	
C.	Surcharge fees	
	<input type="checkbox"/> late payment of filing fee	\$ <u>.00</u>
	<small>(37 C.F.R. 1.16(e) --\$130.00; small entity--\$65.00)</small>	
	and/or	
	<input type="checkbox"/> late filing of original declaration or oath	\$ <u>.00</u>
	<small>(37 C.F.R. 1.16(e) --\$130.00; small entity--\$65.00)</small>	

NOTE: If both the filing fee and declaration or oath were missing from the original papers, only one surcharge fee for both need be paid. 37 C.F.R. 1.16(e).

D. ☐ Petition and fee for filing by other than all \$ _____.00
 the inventors or a person not the inventor
 (37 C.F.R. 1.17(i) and 1.47--\$130.00)

E. ☐ Fee for processing an application filed with \$ _____.00
 a specification in a non-English language
 (37 C.F.R. 1.17(k) and 1.52(d)--\$130.00)

F. ☐ Assignment Fee \$ _____.00

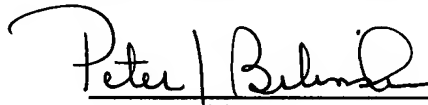
Total Fees Due \$ 385.00

**8. Payment of Fees and Authorization to Charge Additional Fees
or Credit Overpayment**

- ☒ A check in the amount of \$385.00 is enclosed.
- ☐ Charge Deposit Account 50-0289 in the amount of .
- ☒ The Commissioner is hereby authorized to charge payment of the following
fees associated with this communication or credit any overpayment to
Deposit Account No. 50-0289. .
- ☒ Any additional filing fees required under 37 CFR 1.16.
- ☐ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

WALL MARJAMA & BILINSKI LLP



Peter J. Bilinski
Reg. No. 35,067

December 2, 2003
Date

PJB/sca
Telephone: 315-425-9000

Customer No.: 20874